

AN ORDINANCE

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ACCEPTING THE LOW, QUALIFIED RESPONSIVE BID IN THE AMOUNT OF \$377,008.51 FROM SAN ANTONIO CONSTRUCTORS, LTD. (MBE) IN CONNECTION WITH THE GUILBEAU DRAINAGE AT FRENCH CREEK, PHASE I PROJECT LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING \$35,653.85 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL OF \$412,662.36; AUTHORIZING THE REIMBURSEMENT FROM SAN ANTONIO WATER SYSTEM (SAWS) IN THE AMOUNT OF \$20,470.05; APPROPRIATING \$392,192.31 FROM 1999 DRAINAGE IMPROVEMENT BOND FUNDS; AND PROVIDING FOR PAYMENT.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The low, qualified responsive bid submitted by **San Antonio Constructors, Ltd.** in the amount of \$377,008.51 in connection with the Guilbeau Drainage at French Creek, Phase I Project is hereby accepted. All other bids will be considered rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of sixty days from the effective date hereof, whichever occurs first. A copy of the proposal is attached hereto as **Attachment I**. The amount of \$35,653.85 for miscellaneous construction contingency expenses is hereby authorized.

SECTION 2. The City Manager, an Assistant City Manager, or an Assistant to the City Manager, is hereby authorized to execute a standard form contract covering said project, a copy which is in substantially the same form as **Attachment II** is incorporated herein for all purposes.

SECTION 3. The budget in Fund No. 45-962095, 1999 Drainage Improvements, Sold in 2001, shall be revised by reducing Index Code 695585, entitled "Unallocated Appropriations: Proceeds", in the amount of \$392,192.31.

SECTION 4. The budget in Fund No. 45-962017, 1999 General Obligation Drainage Improvements, Sold in 2001, shall be revised by increasing Index Code 938654, entitled "Trf to 45-969007 Guilbeau Drainage at French Creek", in the amount of \$392,192.31. The amount of \$392,192.31 is authorized to be transferred from 45-962017 to 45-969007.

SECTION 5. The budget in Fund No. 45-969000, 1999 Drainage Improvements, shall be revised by increasing Index Code 100644, entitled "Trf Fr 45-962017 (45-969007) Guilbeau Drainage @ Fr Crk", in the amount of \$392,192.31.

SECTION 6. The budget in Fund No. 45-969000, 1999 Drainage Improvements, shall be revised by increasing Index Code 088989, entitled "Contr Fr SAWS (45-969007) Guilbeau Drainage @ Fr Crk", in the amount of \$20,470.05.

SECTION 7. The amount of \$377,008.51 is appropriated in Fund No. 45-969007, 1999 Drainage Improvements, in Index Code 635805, entitled "Construction Contract", and is authorized to be encumbered and made payable to **San Antonio Constructors Ltd.**, for construction in connection with the Guilbeau Drainage at French Creek Phase I project.

SECTION 8. The amount of \$35,653.85 is appropriated in Fund No. 45-969007, 1999 Drainage Improvements, in Index Code 635813, entitled "Construction Contingency", and is authorized to be encumbered and made payable for miscellaneous construction contingency expenses in connection with the Guilbeau Drainage at French Creek Phase I project.

SECTION 9. The San Antonio Water System (SAWS) participates in the cost of replacement, relocation or adjustment to SAWS water and sewer work required in City public works projects, and the City hereby requests that SAWS participate in the cost of such work involved in this project in an amount totaling \$20,470.05. This ordinance is contingent upon receipt of the commitment of SAWS through its approval by San Antonio Water System Board's Resolution to reimburse the City such cost and any further cost in addition to the above costs that may be required in order to complete the SAWS facilities adjustments and required to be paid to the contractor.

SECTION 10. The Director of Public Works shall bill SAWS for the above SAWS facilities adjustments work paid to the contractor including any cost overrun required to complete the SAWS facilities adjustments. Collections from SAWS shall be forwarded to the Director of Finance and deposited in Fund No. 45-969000 to the credit of Revenue Account Index Code 088989. The budget of said Project Number is authorized to be amended by the amount of the additional costs required on the SAWS facilities adjustments, and the construction contract herein awarded is authorized to be amended in accordance with the City's SAWS field alteration procedure, administratively or by ordinance, as applicable.

SECTION 11. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 12. This ordinance shall take effect on the 16th day of November 2003.

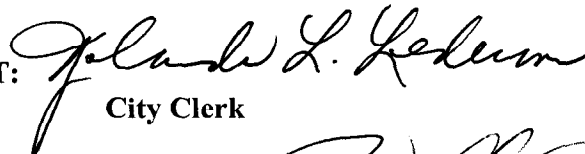
PASSED AND APPROVED this 6th day of November, 2003.



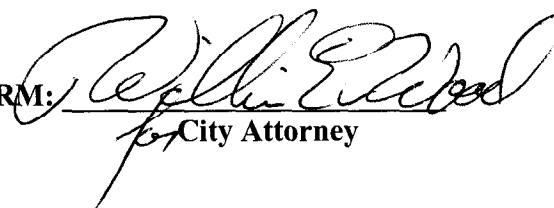
M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney